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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JULIUS JONES,

11 Petitioner,

No. CIV S-04-0950 LKK CMK P

12 vs.

13 DAVE RUNNELS, et al.,

14 Respondents.

ORDER

15 \_\_\_\_\_/  
16 Petitioner has filed his fourth request for an extension of time to file and serve an  
17 amended petition for writ of habeas corpus pursuant to the court's order of April 6, 2006. When  
18 petitioner filed his habeas application in May 2004, he was appointed counsel. Originally,  
19 petitioner's appointed counsel was Victor Haltom. Mr. Haltom requested several extensions of  
20 time in which to either file an amended petition or a statement that he would stand on the  
21 existing petition. (Docs. 11, 14, 17, 19, 21.) Finally, the court issued an order to show cause  
22 regarding the filing of either a statement or amended petition. In response to this, Mr. Haltom  
23 requested to file a motion for substitution of counsel. The court allowed the substitution. (Doc.  
24 27.) On January 10, 2006, Krista Hart was substituted as petitioner's counsel. Ms. Hart has  
25 made several requests for extensions of time to file either an amended petition or a statement that  
26 petitioner would stand on his existing petition. (Docs 29, 33, and 35.) These requests have been  
made so that counsel could obtain necessary records.


1 The current motion for an extension of time avers that she has all records and files  
2 needed. She states that she met with petitioner and he has relayed new and different information  
3 to her. She specifically notes a November 10, 2006 meeting. Counsel requests additional time  
4 to investigate the new information and the witnesses. The court is mindful that, given the nature  
5 of the writ, adjudication of habeas petitions should be swift. However, in this instance, justice  
6 appears to require the granting of a further extension of time in order to present all of petitioner's  
7 claims. Good cause appearing, the request will be granted. No further extensions of time will  
8 be granted.

9 IT IS HEREBY ORDERED that:

10 1. Petitioner's November 30, 2006 request for an extension of time is granted;  
11 and

12 2. Petitioner is granted ninety days from the date of this order in which to file and  
13 serve an amended petition for writ of habeas corpus. No further extensions of time will be  
14 granted.

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16 DATED: December 6, 2006.

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19 **CRAIG M. KELLISON**  
20 UNITED STATES MAGISTRATE JUDGE  
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